IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2338 OF 2006
IN
APPEAL (LDG.) NO.584 OF 2006
IN
WRIT PETITION NO.2846 OF 2002

Mr.Rasik G. Mankar ....Appellant
V/s.
The Oberoi Towers ....Respondent

Mr.Sandip Jinsiwale for Appellant.
None for the Respondent.

CORAM : DR.S. RADHAKRISHNAN &
S.J. VAZIFDAR, JJ.
DATED : 4TH AUGUST, 2006.

P.C. :

1. Heard the learned counsel for the Appellant. None appears for the Respondent though served. The learned counsel for the Appellant undertakes to file affidavit of service within two weeks from today. Perused the affidavit in support of the Notice of Motion. For the reasons stated in the affidavit in support of the Notice of Motion, sufficient cause is made out. There is no case of inaction, negligence or want of bona-fide on the part of the Appellant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)